

1-Proposed Zoning Amendment

(By Referendum Petition)

A proposed amendment to the Parcel No. 05-01-101-008 consisting of 40.7003 acres located at 5615 Lytle Road from Residence Single Family (R-1) to Village Transition PUD (VT-PUD) and to split zoning map on part of a contiguous parcel No. 05-01-126-001 limited to 1.29 acres located at the rear of 5621 Lytle Road from Residence Single Family (R-1) to Village Transition PUD (VT-PUD).

(The full text, conditions, and attachments to Wayne Township Board of Trustees Resolution No. 2018-31 adopted July 17, 2018 proposing the zoning of map amendment is posted at this polling place.)

Shall the zoning amendment as adopted by Wayne Township Board of Trustees be approved?

YES

NO

## **RESOLUTION 2018-31**

### **CONCERNING AN APPLICATION FOR A ZONING MAP AMENDMENT TO REZONE 5615 LYTLE RD. (40.7003 AC) AND SPLIT ZONING 5621 LYTLE RD. (THE REAR 1.29 ACS) FROM R-1 TO VT-PUD**

**WHEREAS**, the applicant seeks to rezone the following parcels and partial parcels of land from Rural Residential "R-1" to Village Transition PUD:

- 05011010080 (in its entirety), and;
- 05011260010 (rear 1.29 acs being rezoned VT-PUD), and;
- Consisting of 41.9903 combined acres, owned by the John and Sherry Federle, and Thomas and Lisa Patton respectively, and;

**WHEREAS**, the Wayne Township Trustees have received letters of transmittal from the Wayne Township Zoning Commission, and Warren County Regional Planning Commission, and;

**WHEREAS**, the Warren County Regional Planning Commission Executive Committee reviewed on June 28, 2018 and has recommended approval of the application via letter, with recommendations to modify the application as follows:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions:
2. Compliance with the Wayne Township Zoning Resolution.
3. Compliance with the recommended PUD Standards provided in Exhibit B\*
4. Open space shown on the PUD Conceptual Plan shall be amended to comply with the standards of Section 3.101 (Open Space Standards). *Revised submission dated 6/27/2018 meets standards.*

**WHEREAS**, the Wayne Township Zoning Commission held a Public Hearing on July 5, 2018 and support the modification of the application in zoning by resolution, with the following conditions:

1. Recommend approval contingent on RPC recommendations being satisfied, and;
2. Increase side yard setback to the north of the development to a minimum of 25' to mirror other boundaries of the development. And R-1 zoning standards.
3. Add required language to either the individual property deeds or HOA regulations preserving the established wood lines 25' in width around the perimeter of the development.
4. Not approve the 20% requested reduction in lots 1 ac or more.

**WHEREAS**, the Wayne Township Trustees held a Public Hearing on July 17, 2018 and have reviewed the recommendations of Warren County RPC and the Wayne Township Zoning Commission, and;

**WHEREAS**, Mr. Coffman motioned to approve the application contingent on the following conditions:

1. Recommend approval contingent on RPC recommendations (attachment A) being satisfied in addition to the following added conditions:
2. Increase side yard setback to the north of the development to a minimum of 25'; and,
3. \*(modification of RPC's §7.5 Sidewalk connectivity) Extend sidewalk or bike path from the east side of White Rose Dr. along the south side of main drive out to Lytle Rd. for pedestrian and central mail location traffic.
4. Adding language to the HOA regulations preserving the established wood lines 25' in width around the perimeter of the development.
5. All approvals are contingent on adequate sewer serviceability. And;

**WHEREAS**, Mr. Patrick seconded the motion with a roll call vote as follows: Mr. Patrick—nay, Mr. Coffman—yea, Mr. Foley—yea.

**NOW THEREFORE BE IT RESOLVED**, the Wayne Township Board of Trustees hereby **approves** the application for a Zoning Map Amendment **with the above approved modifications**.

Mr. Coffman moved for a **roll call vote** of the foregoing resolution, being seconded by

Mr. Patrick. Upon call of the roll, the following vote resulted.

Mr. Coffman	<u>yes</u>	<u><i>Darrell E. Coffman</i></u>
Mr. Patrick	<u>no</u>	<u><i>[Signature]</i></u>
Mr. Foley	<u>yes</u>	<u><i>Stephen P. Foley Jr.</i></u>

Resolution adopted this 17th day of July 2018.

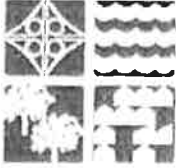
BOARD OF WAYNE TOWNSHIP TRUSTEES  
*Darrell E. Coffman*  
Darrell Coffman, Fiscal Officer

**CERTIFICATION**

I, Darrell Coffman, Fiscal Officer of Wayne Township, Warren County, Ohio hereby certify to the Warren County Auditor that the foregoing is taken and copied from the record of the proceedings of said Township Trustees of Wayne Township, and that it is a true and accurate representation thereof.

Witness my signature this 7th day of August 2018.

*Darrell E. Coffman*  
Darrell E. Coffman, Fiscal Officer



## Warren County Regional Planning Commission

WARREN COUNTY ADMINISTRATION BUILDING  
406 JUSTICE DRIVE • LEBANON, OHIO 45036  
TELEPHONE (513) 695-1223

STANLEY C. WILLIAMS, EXECUTIVE DIRECTOR

June 28, 2018

Ms. Erin Hartsock  
Wayne Township Zoning  
PO Box 89  
Waynesville, Ohio 45068

Dear Ms. Hartsock:

This letter is in regard to the Federle PUD Stage 1 planned in Wayne Township.

At its meeting on June 28, 2018 the Warren County Regional Planning Commission (RPC) Executive Committee recommended approval of the Federle Village Transition (VT)-PUD Stage 1 subject to the following conditions:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions.
2. Compliance with the Wayne Township Zoning Resolution.
3. Compliance with the recommended PUD Standards provided in Exhibit B.
4. Open space shown on the PUD Conceptual Plan shall be amended to comply with the standards of Section 3.101 (Open Space Standards).

If you have any questions regarding this action, please contact this office.

Sincerely,

Stan Williams, AICP  
Executive Director

attachment



**PUD Standards**

**Federle Village Transition (VT)-PUD**  
 5816 Lytle Rd  
 Wayne Township, Warren County, Ohio

**SECTION 1 – PURPOSE**

The intent of the Federle VT-PUD is to establish standards for a single-family residential subdivision on approximately 42 acres north of the Village of Waynesville on Lytle Road, in keeping with the provisions of Section 2.506 (Village Transition PUD Overlay Regulations) and all other applicable sections of the Wayne Township Zoning Code.

**SECTION 2 – PUD BOUNDARIES**

The property to be rezoned consists of the following parcels (or portions thereof).

Parcel (Sidwell) ID Number	Current Zoning	Total Acreage	PUD Acreage
05-01-101-008	R-1	40.66	40.66
16-27-355-013	R-SF	3.36	1.27*
<b>Totals</b>		<b>44.02</b>	<b>41.93</b>

\*The PUD boundary shall be as depicted on the PUD Concept Plan

The PUD acreages of both parcels listed above are to be rezoned as a Village Transition (VT)-PUD, and as such will constitute an amendment to the Official Zoning Map. The zoning on this area shall remain in place following any lot splits or consolidations in the future, until such time as a future map amendment may be brought forward by the property owner for approval.

**SECTION 3 – GENERAL STANDARDS**

- 3.1 Definition of Terms**  
 Unless specified, the definition of all terms shall be the same as the definition set forth in the Wayne Township Zoning Resolution in effect at the time of zoning certificate application.
- 3.2 Consistency with the Wayne Township Zoning Code**  
 Development of the PUD shall be in accordance with this PUD document and applicable sections of the Wayne Township Zoning Code (to the extent they are not inconsistent with this document) which are in effect at the time of issuance of any development order which authorizes the development of improvements.
- 3.3 Concept Plan**  
 All conditions and concepts imposed herein or as represented on the PUD Concept Plan are a part of the regulations which govern the manner in which the PUD may be developed. However, it shall be recognized that the PUD Concept Plan is conceptual in nature and adjustments may be made at PUD Stage 2 or PUD Stage 3, so long as the overall plan proposed is in conformance with the standards of this document and generally conforms to the PUD (Stage 1) Concept Plan.
- 3.4 Clearing & Grading**  
 Clearing, grading, earthwork, and site drainage work shall be performed in accordance with the procedures and requirements of the Warren County Soil & Water Conservation District and any other applicable government agencies. The developer shall also comply with the applicable requirements for an NPDES permit through the EPA.

**SECTION 4 – PRINCIPAL USE REGULATIONS**

**4.1 Permitted Uses**

The following shall be permitted as principal land uses within the PUD:

- Single-Family Dwellings

**4.2 Prohibited Uses**

Principal land uses not listed in Section 4.1 above are prohibited within the PUD.

**SECTION 5 – ACCESSORY USE REGULATIONS**

**5.1 Permitted Uses**

Permitted accessory uses shall be the same as in the R-1 Residence Single Family Zone, and shall conform to the use-specific standards as specified in the Wayne Township Zoning Code unless otherwise provided for in this PUD document.

**SECTION 6 – DEVELOPMENT STANDARDS**

**6.1 Minimum House Size**

The minimum house size (square feet of living space per unit) shall be 1,700 square feet for a 1-story house, and 2,400 square feet for a 2-story house.

**6.2 Minimum Setbacks**

Structure Type	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback
Principal	40 feet	12.5 feet	40 feet
Accessory	Not permitted in front yard	12.5 feet	25 feet

**6.3 Minimum Lot Size**

Lot sizes shall comply with the provisions of the Wayne Township Zoning Code for Village Transition PUDs. Lots shown on the PUD Concept Plan may be reconfigured so long as the resulting condition complies with the provisions mentioned above.

**6.4 Open Space**

A minimum of twenty (20) percent of the overall PUD shall be dedicated to open space, and twenty five (25) percent of this open space area shall be reserved for active uses as defined in the Wayne Township Zoning Code. The PUD Stage 2 plan shall distinguish open space areas that are considered active, and note the uses that make such spaces active.

**6.5 Landscaping Plan**

A landscaping plan shall be provided at the time of PUD Stage 3 application showing proposed locations of trees and shrubs, as well as decorative fencing or any other landscape components.

**6.6 Signs**

A sign plan, inclusive of any gateway signage to be installed at the entrance from Lytle Road, shall be provided at the time of PUD Stage 3 application.

**6.7 Thoroughfare Buffer Yard**

In accordance with Section 3.606, a thoroughfare buffer yard is required along Lytle Road (which is recognized as having a Collector Road designation under the Warren County Thoroughfare Plan) to be designed as one (1) of the following two (2) options:

- (1) If the buffer is less than one hundred (100) wide, then a landscaped berm seven (7) feet high shall be provided and be located outside the road right-of-way and also outside of utilities easements unless approved by the appropriate authority; or
- (2) If the buffer is greater than or equal to one hundred (100) feet, but less than three hundred (300) feet, then a landscaped berm four (4) feet high shall be provided and be located outside of the road right-of-way and also outside of utilities easements unless approved by the appropriate authority.

This PUD document recognizes that sufficient vegetation does not exist near Lytle Road at the time of PUD approval that would properly satisfy Option 3 provided under Section 3.606.3, and therefore only options (1) and (2) above are possible.

## **SECTION 7 – ACCESS/CIRCULATION STANDARDS**

### **7.1 Ingress/Egress**

Ingress/egress points from public right-of-way to the development within the PUD shall be located off Lytle Road, or at another location found acceptable by the Warren County Engineer's Office. The developer shall comply with the Warren County Engineer's Office process and requirements for an Access Permit application.

### **7.2 Traffic Impact Study**

If deemed necessary by the Warren County Engineer's Office, the developer shall complete a Traffic Impact Study (TIS) and be responsible for any improvements to public roadways found necessary by the TIS. Possible improvements include traffic signals and/or additional turning or deceleration lanes, installed to the satisfaction of the Warren County Engineer's Office.

### **7.3 Right-of-Way Dedication**

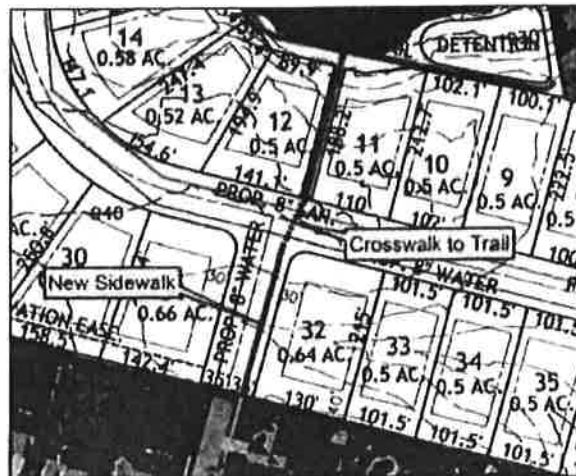
Any additional right-of-way along Lytle Road required in accordance with the Warren County Thoroughfare Plan shall be dedicated to the satisfaction of the Warren County Engineer's Office.

### **7.4 Street Stubs**

A paved connection is required to the existing White Rose Drive street stub to the south of the PUD site, and a new street stub is required to be constructed to the edge of the Michener property (Parcel ID 05-07-200-008) west of the PUD site. No other street stubs are mandatory for this PUD, though additional stubs may be provided if desired.

### **7.5 Sidewalk Connectivity**

The existing sidewalk located on the east side of the White Rose Drive stub shall be required to be extended to the next intersection and connect with the proposed trail as shown in Figure 7-1 at right.



*Figure 7-1  
Required Sidewalk*

**SECTION 8 – SERVICE STANDARDS**

**8.1 Sewer Service**

Connection and/or upgrades to the sanitary sewer utility shall be to the satisfaction of the Warren County Water & Sewer Department, or other appropriate approving authority. Written certification from the sewer authority verifying that capacity is available to serve the development with public sanitary sewer shall be required prior to approval of PUD Stage 2.

**8.2 Water Service**

Connection and/or upgrades to the water utility shall be to the satisfaction of the Waynesville Water District, or other appropriate approving authority.